

### **REMARKS**

This responds to the Office Action dated November 22, 2006.

Claims 14, 23, and 25 are amended. Claim 63 is added. Claims 1-63 are now pending in this application.

Corrected claim identifiers are presented herein.

An Information Disclosure Statement including corrected citations as to previously identified art is submitted herewith. Applicant respectfully requests consideration of the art noted on the Information Disclosure Statement.

The specification is amended to provide updated information.

#### **§103 Rejection of the Claims Using Marcus and Olson**

Claims 14-22 and 25-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcus (U.S. Patent No. 4,637,400, herein "Marcus") and in view of Olson et al. (U.S. Patent No. 5,779,645, herein "Olson").

#### ***Claim 14***

Claim 14 has been amended to better describe the recited subject matter.

Applicant respectfully traverses the rejection and submits that the Office Action does not set forth a *prima facie* case of obviousness because Marcus and Olson, each alone or in combination, do not provide the recited subject matter. For example, Applicant is unable to find in Marcus and Olson, individually or in combination, among other things, a teaching or suggestion of identifying a lobe in a curvature series, the lobe corresponding to a portion of a curvature signal starting when the curvature signal crosses a first threshold in one direction and ending when the curvature signal crosses a second threshold in an opposite direction, and calculating an area of the lobe between the portion of the curvature signal corresponding to the lobe and a baseline, as recited in claim 14.

Applicant respectfully requests reconsideration and allowance of claim 14.

*Claims 15-22 and 25-43*

Applicant respectfully traverses the rejection. Claims 15-22 and 25-43 are dependent on claim 14, which is believed to be allowable for at least the reasons set forth above. Therefore, the discussion above for claim 14 is incorporated herein to support the patentability of claims 15-22 and 25-43.

Additionally, Applicant is unable to find any specific reason supporting the rejection of claim 21. Clarification in the next official communication, or withdrawal of the rejection, is respectfully requested.

Applicant respectfully requests reconsideration and allowance of claims 15-22 and 25-43.

*§103 Rejection of the Claims Using Marcus, Olson, and Street*

Claim 44 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcus and Olson as applied to claim 14 above, and further in view of Street (U.S. Patent No. 6,516,219, herein "Street").

Applicant respectfully traverses the rejection. Claim 44 is dependent on claim 14, which is believed to be allowable for at least the reasons set forth above. Therefore, the discussion above for claim 14 is incorporated herein to support the patentability of claim 44.

Applicant respectfully requests reconsideration and allowance of claim 44.

*Allowable Subject Matter*

Claims 23 and 24 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 23 and 24 are dependent on claim 14. Applicant believes that the discussion above for claim 14 had overcome the objection.

Applicant respectfully requests reconsideration and allowance of claims 23 and 24.

*New Claims*

Applicant has added new claim 63. It is believed that no new matters has been introduced by the new claim.

Applicant respectfully requests consideration and allowance of claim 63.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6965 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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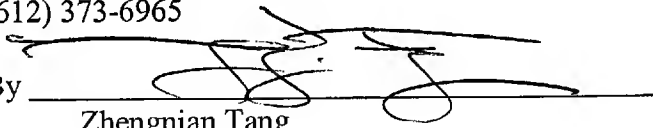
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Date

4-17-2007

By

  
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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 7450, Alexandria, VA 22313-1450 on this 19 day of April 2007.

Name

Robert J. Sweeney

Signature

